

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GETTY IMAGES (US), INC., a	)	CASE NO. 1:16-CV-1400
New York corporation,	)	
	)	JUDGE SOLOMON OLIVER, JR.
Plaintiff,	)	
	)	
vs.	)	
	)	
WALTER A. KOWALCZUK, a/k/a	)	<b><u>ORDER OF JUDGMENT AS TO</u></b>
ALLAN KOWALCZUK, <i>et al.</i> ,	)	<b><u>DEFENDANT JAMES MARION</u></b>
	)	
Defendants.	)	

**ORDER OF JUDGMENT**

Based on the acceptance by Plaintiff Getty Images (US), Inc. of Defendant James Marion's Rule 68 Offer of Judgment, and as provided by Federal Rule of Civil Procedure 68, it is hereby **ORDERED** as follows:

1. The Clerk of the Court is directed to **ENTER** a judgment in favor of Plaintiff Getty Images (US), Inc. and against Defendant James Marion, as follows:

(a) Judgment shall be **ENTERED** in the amount of \$5,000.00, which includes all statutory damages, costs, and attorney fees for the claim of copyright infringement (Claim I of the Second Amended Complaint [Dkt. No. 168]); and

(b) Judgment shall be **ENTERED** in the amount of \$500.00, which includes all statutory damages, costs, and attorney fees for the claim of replevin (Claim V of the Second Amended Complaint).

2. Defendant James Marion, and any persons or entities acting directly or indirectly on his behalf, shall be and hereby are **PERMANENTLY ENJOINED, RESTRAINED** and **ORDERED**, as follows:

(a) Defendant James Marion is **PERMANENTLY ENJOINED** and **RESTRAINED** from using any copies of the photographic works (“Works”) alleged to have been infringed in the Second Amended Complaint.

(b) Defendant James Marion is **ORDERED** to destroy any and all copies of the Works.

(c) Defendant James Marion is **PERMANENTLY ENJOINED** and **RESTRAINED** from using any unlicensed copies of the Works at any time in the future.

3. Upon entry of judgment, this action shall be **DISMISSED** as to Defendant James Marion, with prejudice and without attorney’s fees or costs.

**IT IS SO ORDERED.**

/s/ Solomon Oliver, Jr.  
SOLOMON OLIVER, JR.  
United States District Judge

February 22, 2018